IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATIONS NO. 437, 438 AND 439 OF 2006.

Ramesh M. Bandodkar
and 7 Ors. .... Applicants.

Versus

Shri Nilconta G. Amonkar
and another. .... Respondents.

Shri J. Abreu Lobo, Advocate for the Applicants.

Ms. Shruti Kamat Dalal, Advocate for the Respondent No.1.

CORAM: R.M.S. KHANDEPARKAR, J.

DATE: 6th SEPTEMBER, 2006.

P.C.:

Heard the Advocates for the parties.

2. In all these applications common question of facts arise and are being disposed of by this common order.

3. All these applications are for condonation of delay of 32 days in filing the appeal. Considering the facts disclosed in the applications, sufficient cause for condonation of delay is revealed.

4. It was strenuously argued on behalf of the respondent that the

applicants have failed to submit any explanation for the delay of six months from January to June, 2006. Indeed the applications do not disclose all the necessary details which could have revealed sufficient cause for delay during this period. However, at the same time it has been the case of the applicants that the entire matter relating to the dispute was entrusted to one of the parties for the purpose of following up the matter and being so, the other applicants were not required to be in touch with their Advocate. The said person to whom the dispute-management was entrusted had some differences with the other applicants-appellants since January, 2006 on account of expenses incurred in the matter and he started avoiding the other applicants and did not furnish any information regarding the matter and consequently they approached their Advocate in June last and thereupon learnt about the disposal of the appeal. These facts having been stated on oath, the same are to be construed as disclosing sufficient cause for delay for the said period and therefore the delay of 32 days in filing the appeal is to be condoned.

All the Second Appeals on registration to be listed for hearing on admission. Applications stand disposed of.

R.M.S. KHANDEPARKAR, J.

sl.